

CONVEYANCE OF LANDS TO CERTAIN INDIVIDUALS IN  
BUTTE COUNTY, CALIFORNIA

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JANUARY 27, 1995.—Committed to the Committee of the Whole House on the State  
of the Union and ordered to be printed

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Mr. YOUNG of Alaska, from the Committee on Resources,  
submitted the following

REPORT

[To accompany H.R. 440]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 440) to provide for the conveyance of lands to certain individuals in Butte County, California, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

H.R. 440 provides for the conveyance, without compensation, of about 30 acres of lands in Butte County, California, to some 16 parties previously considered to be the land's owners.

BACKGROUND AND NEED FOR LEGISLATION

The lands affected by H.R. 440 are located in an area known as Stephens Ridge. Prior to 1992, this land was considered to be outside the boundaries of the Plumas National Forest and held in private ownership. In 1961, the Forest Service accepted the results of a survey that established a new corner boundary of the National Forest because the surveyor evidently could not locate the original corner. This survey was used as a basis for establishing boundaries of the adjacent private lands.

A 1992 Bureau of Land Management resurvey and subsequent Forest Service land line location surveys have demonstrated that the lands covered by the bill are within the National Forest and therefore technically in the ownership of the United States.

The bill would establish a 2-year deadline for parties seeking to remove this cloud on land title to file claims with the Forest Service. Upon receipt of proper documentation, the Secretary of Agriculture would be required to convey all right, title, and interest of the United States in the relevant lands to the parties submitting claims under the bill. Conveyance would be by quitclaim deed and subject to terms and conditions necessary to protect third parties and to preserve Federal rights-of-way or other Federal interests in the lands. The United States would be responsible for all surveys and property-line markings necessary to implement the conveyances.

#### COMMITTEE ACTION

H.R. 440 was introduced by Mr. Herger on January 9, 1995. The bill was referred to the Committee on Resources and retained at the Full Committee. H.R. 440 was favorably reported to the House of Representatives by unanimous voice vote on January 18, 1995.

#### SECTION-BY-SECTION ANALYSIS

Section 1 sets forth several findings concerning the history of the problem addressed by the bill and states that the bill's purpose is to authorize and direct the conveyance of the relevant lands to persons claiming to have been deprived of title to them.

Section 2 provides definitions of the terms "affected lands", "claimant" and "Secretary", as those terms are used in the bill.

Section 3 would require the conveyance, without compensation, of all right, title, and interest in the affected lands to claimants submitting proper applications pursuant to section 4.

Section 4 would establish the terms and conditions for the conveyance of the affected lands. Subsection 4(a) would establish a deadline of two years after the enactment of the bill for claimants to provide written notice of their claims and specifies the information to be submitted with such notices. Subsection 4(b) provides for issuance of deeds upon determinations that the requirements of the bill have been met and that necessary survey work has been completed by the United States. Subsection 4(c) provides for appropriate notice of deed to be provided to the Bureau of Land Management in order to maintain appropriate records.

Section 5 would authorize appropriation of such sums as may be necessary to implement the bill.

#### COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Pursuant to clause 2(l)(3) of rule XI of the Rules of the House of Representatives and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are contained in the body of this report.

#### INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(l)(4) of Rule XI of the Rules of the House of Representatives, the Committee estimates that the enactment of H.R. 440 will have no significant inflationary impact on prices and costs in the operation of the national economy.

## COST OF THE LEGISLATION

Clause 7(a) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out H.R. 440. However, clause 7(d) of that Rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974.

## COMPLIANCE WITH HOUSE RULE XI

With respect to the requirements of clause 2(l)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, H.R. 440 does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

With respect to the requirement of clause 2(l)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of H.R. 440.

With respect to the requirement of clause 2(l)(3)(C) of rule XI of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for H.R. 440 from the Director of the Congressional Budget Office:

## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, January 24, 1995.*

Hon. DON YOUNG,  
*Chairman, Committee on Resources,  
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 440, a bill to provide for the conveyance of lands to certain individuals in Butte County, California, as ordered reported by the House Committee on Resources on January 18, 1995. We estimate that enactment of this bill would not result in any significant costs to the federal government. Because enactment of H.R. 440 could affect direct spending, pay-as-you-go procedures would apply to the bill.

H.R. 440 would authorize and direct the Secretary of Agriculture to convey, without consideration, certain lands in Butte County, California, that are adjacent to the Plumas National Forest. These lands had previously been considered private lands based on erroneous surveys, but recently have been determined to be part of the national forest. This bill would authorize and direct the Secretary to convey the lands to landowners who believed the land was their property before more accurate surveys were conducted, and would authorize the appropriation of such sums as necessary to carry out the provisions of the bill.

Based on information from the Forest Service, CBO estimates that this land conveyance would not result in significant additional costs to the federal government or to state and local governments.

If the Department of Agriculture were to sell these parcels of land, the federal government would receive additional offsetting receipts. Since H.R. 440 would authorize the Secretary to give them away, the bill would result in direct spending (i.e., a loss of offsetting receipts) if the land would otherwise be sold. Based on information from the Forest Service, however, CBO believes that the department is not likely to sell the land in any case. Accordingly, CBO estimates that H.R. 440 would result in no direct spending.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Theresa Gullo.

Sincerely,

ROBERT D. REISCHAUER,  
*Director.*

#### CHANGES IN EXISTING LAW

If enacted, H.R. 440, would make no changes to existing law.

#### DEPARTMENTAL REPORTS

The Committee has received no departmental reports on H.R. 440.

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